IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO.22978 of 2003

Between:

Md.Aleem, 48 years, E-104223, Driver
Barkatpura Depot., Barkatpura., Hyderabad District.

...PETITIONER

AND

1. The APSRTC, rep.by its Managing Director, Musheerabad, Hyderabad.
2. The Regional Manager, APSRTC, Hyderabad City Region, JBS, Picket, Secunderabad.
3. The Depot Manager, APSRTC, Barkatpura Depot, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents herein in not providing alternative post though he suffered injury to his eyes in the accident while on duty as illegal, contrary to the provisions of Sec.47 of The Persons With Disabilities (Equal Opportunities Protection Of Rights And Full Participation) Act, 1995, is illegal, arbitrary and against to the principles of natural justice and violative of Articles 14, 16 and 21 of the Constitution of India and as such set aside the same with a consequential direction to Continue the petitioner forthwith in any alternative employment.

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court made the following:

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO.22978 of 2003

ORDER:

Heard both sides.

At the request of both the counsel, the main Writ Petition itself is taken up for disposal.

The petitioner has been working as a driver in the respondent-Corporation. Subsequently he was declared as unfit. Therefore, he sought for an alternative employment. Hence, he filed the present Writ Petition.

This Court granted interim direction for providing him alternative post such as Helper, Cleaner, Booking Clerk or any suitable post. In terms of the said direction, dated 03.08.2004, the petitioner was already given the post of a Cleaner, as per the proceedings in APSRTC.No.03/785 (4)/2003-BKP, dated 22.09.2004. In view of the same, no further orders are necessary.

Accordingly, the Writ Petition is disposed of.

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(B.PRAKASH RAO, J)

8th December 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Managing Director, APSRTC, Musheerabad, Hyderabad.
2. The Regional Manager, APSRTC, Hyderabad City Region, JBS, Picket, Secunderabad.
3. The Depot Manager, APSRTC, Barkatpura Depot, Hyderabad.
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